

AO 91 (Rev. 11/11) Criminal Complaint

Officer:

AUSA: Susan Fairchild  
Jason ArmstrongTelephone: (313) 226-9577  
Telephone: (313) 319-9263

## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Juan AGUILAR-PEREZ,

Case: 2:24-mj-30542

Assigned To : Unassigned

Case No.

Assign. Date : 12/30/2024

Description: CMP USA V.  
AGUILAR-PEREZ (DJ)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 23, 2024 in the county of Washtenaw in the  
Eastern District of Michigan, the defendant(s) violated:

Code Section

Offense Description

Title 8, United States Code, Section 1326(a)

Unlawful Re-entry Following Removal from the United States

This criminal complaint is based on these facts:

On or about December 23, 2024, in the Eastern District of Michigan, Southern Division, Juan AGUILAR-PEREZ, an alien from Mexico, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about March 14, 2023, at or near Brownsville, Texas, and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326 (a).

☒ Continued on the attached sheet.

Complainant's signature

Jason A. Armstrong, Deportation Officer, ICE/ERO

Printed name and title

Sworn to before me and signed in my presence.

Date: December 30, 2024

Judge's signature

City and state: Detroit, Michigan

Kimberly Altman, United States Magistrate Judge

Printed name and title

**AFFIDAVIT**

I, Jason Armstrong, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) of the United States Department of Homeland Security (DHS) at the Detroit Field Office. I have been employed in this capacity since September 2017. I am currently assigned to the Detroit ICE-ERO Criminal Alien Program. Previously, I served as an Investigative Analyst with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for approximately two years and as a Correctional Officer with the Bureau of Prisons (BOP) for approximately five years.
2. This affidavit is submitted for the limited purpose of establishing probable cause in support of a criminal complaint and an arrest warrant for Juan Carlos AGUILAR-PEREZ, a native and citizen of Mexico, who has violated Title 8, United States Code, Section 1326(a), unlawful re-entry following removal from the United States.
3. The information contained in this affidavit is based upon my personal knowledge and observations, information provided by other law enforcement personnel to include ICE ERO Deportation Officers, and database record checks. I have also reviewed records from the official immigration file and system automated data relating to AGUILAR-PEREZ. I have not included every fact known to law enforcement related to this investigation.

**PROBABLE CAUSE**

4. AGUILAR-PEREZ is a twenty-five-year-old citizen and a native of Mexico who last entered the United States on an unknown date, at an unknown place, without being inspected and admitted or paroled by an immigration officer.
5. On December 17, 2016, United States Border Patrol encountered AGUILAR-PEREZ at or near Laredo, Texas and voluntarily returned him to Mexico the same day.

6. On May 7, 2022, Michigan State Police arrested AGUILAR-PEREZ for operating a vehicle with a blood alcohol content of .17 or more. Records reflect that a failure to appear warrant was issued on June 17, 2024, out of the 55<sup>th</sup> District Court in Mason, MI.
7. On December 31, 2022, Canton Police Department arrested AGUILAR-PEREZ for operating a vehicle while under the influence of liquor and leaving the scene of a property damage accident. On September 26, 2024, his bond was forfeited in that case because he failed to appear for a court date. The case is currently pending in the 35<sup>th</sup> District Court in Plymouth, MI.
8. On February 16, 2023, ICE-ERO arrested AGUILAR-PEREZ for violation of alien present without admission or parole and served him with a Form I-862, Notice to Appear.
9. On March 7, 2023, an Immigration Judge in Detroit, Michigan ordered AGUILAR-PEREZ removed from the United States to Mexico.
10. On March 14, 2023, ICE-ERO removed AGUILAR-PEREZ from the United States to Mexico through Brownsville, Texas.
11. On June 9, 2024, Ann Arbor Police Department arrested AGUILAR-PEREZ for assault and battery. According to the police report, that incident involved an alleged assault by AGUILAR-PEREZ upon his brother. At the time of his arrest, AGUILAR-PEREZ gave a false name to the police officers and attempted to flee from the officers by running into the victim's apartment. That same day, ICE-ERO was notified of defendant's arrest and issued a detainer with the Washtenaw County Jail.
12. On December 23, 2024, ICE-ERO arrested AGUILAR-PEREZ after he was released by the Washtenaw County Jail and transported him to the ICE-ERO Detroit Field Office for processing.
13. The arrest and subsequent detention of AGUILAR-PEREZ was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation

of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.


14. AGUILAR-PEREZ's fingerprints and photograph were captured and searched in the ICE/FBI systems. The fingerprints returned with a positive match for Juan Francisco AGUILAR-PEREZ, a native and citizen of Mexico who had previously been removed from the United States.
15. A review of AGUILAR-PEREZ's immigration file, record checks, and queries in the U.S. Department of Homeland Security databases confirmed that AGUILAR-PEREZ did not obtain the permission or express consent from the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States following his removal on March 14, 2023.
16. On December 23, 2024, ICE-ERO served AGUILAR-PEREZ with Form I-871, Notice of Intent/Decision to Reinstate Prior Order.

**CONCLUSION**

17. Based on the above information, I believe there is probable cause to conclude that Juan Francisco AGUILAR-PEREZ is native and citizen of Mexico who was previously removed from the United States on or about March 14, 2023, at or near Brownsville, Texas, and was thereafter found by immigration authorities in the United States, on or about December 23, 2024, in the Eastern District of Michigan, without having obtained the express consent or permission of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States, all in violation of Title 8, United States Code, Sections 1326(a).

  
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Jason Armstrong, Deportation Officer  
Immigration and Customs Enforcement

Subscribed and sworn to before me in my  
presence and/or by reliable electronic means.

  
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Honorable Kimberly Altman  
United States Magistrate Judge